

Richmond Division

CIVIL NO. 3:12cv864-HEH

- (1) The Report and Recommendation of the Magistrate Judge (ECF No. 25) is ACCEPTED and ADOPTED as the OPINION of the Court.**
- (2) Defendants' Motion to Dismiss (ECF No. 11) is GRANTED in part and DENIED in part.**
- (3) Plaintiff's Title VII claims against Defendants Helen Simmons, Wallace Hurt, Robert Horn, Jacqueline Hawkes, Shelli Hinton and Daniel Grounard are DISMISSED without prejudice.**
- (4) Plaintiff's §§ 1981 and 1983 claim against Defendants Helen Simmons, Wallace Hurt, Robert Horn, Jacqueline Hawkes, Shelli Hinton and Daniel Grounard in their official capacities are DISMISSED without prejudice.**
- (5) Plaintiff's §§ 1981 and 1983 claim against Defendants Helen Simmons, Wallace Hurt, Robert Horn, Jacqueline Hawkes and Shelli Hinton in their individual capacities are DISMISSED without prejudice.**
- (6) Defendants' Motion to Dismiss Plaintiff's §§ 1981 and 1983 claim against Defendant Daniel Grounard in his personal capacity is DENIED.**


- (7) Plaintiff's due process claim in Count III of Plaintiff's Amended Complaint (ECF No. 4) is DISMISSED without prejudice.

Let the Clerk of the Court send a copy of this Final Order to Plaintiff and all counsel of record.

It is so ORDERED.

Richmond, Virginia

Date: June 17, 2013

 /s/
Henry E. Hudson
United States District Judge